GOVERNMENT OF INDIA
OVERSEAS INDIAN AFFAIRS
LOK SABHA

UNSTARRED QUESTION NO:1571
ANSWERED ON:10.12.2008
EXPLOITATION OF INDIAN WORKERS IN MALAYSIA
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Will the Minister of OVERSEAS INDIAN AFFAIRS be pleased to state:

(a) whether there are reports that Indian workers are under paid and assaulted by recruitment agents and their employers in Malaysia;

(b) if so, the details thereof;and

(c) the steps taken or likely to be taken by the Government in this regard?

Answer

MINISTER OF THE STATE IN THE MINISTRY OF OVERSEAS INDIAN AFFAIRS(SHRI VAYALAR RAVI)

(a) to (b): Complaints are received from time to time from the Indian workers working abroad including Malaysia about illegal recruitment of Indian workers for employment abroad by unregistered/registered recruiting agents which often results in their exploitation and harassment at the hands their employers.
On complaints against illegal/unregistered recruiting agents,penal action is taken against them for violation of provisions of the Emigration Act,1983 by referring their cases to the Police authorities of the State Governments and Protectors of Emigrants concerned.During 2006,2007 and 2008 (upto 30.11.2008) respectively 78, 41 and 87 complaints were sent to the state police authorities and the Protectors of Emigrants for legal action against unregistered recruiting agents. 21, 07, 34 prosecutions have been sanctioned in this regards during 2006, 2007 2008 respectively.

As and when a complaint is received against a registered Recruiting Agent,the concerned RA is directed to redress the grievance in a time bound manner. If he fails to do so, action is taken to suspend/cancel his Registration Certificate. In cases where the conduct of registered recruiting agent is required to be specifically watched in view of the nature of complaint, they are placed on an Internal Watch List. During the 2006, 2007 and 2008 (upto 30.11.2008) respectively 80,12 and 24 registration certificates (RCs) have been suspended/concelled.

The Foreign Employers,against whom complaints are received,are blacklisted by placing their names in the Prior Approval Category (PAC / Black List) on the recommendation of the Indian Mission concerned, if needed,consequently debarring them to make further recruitment of workers from India.345 such companies have been put under the PAC category till 30.11.2008.

(c) With a view to protect the interests of the Indian workers going abroad,the following steps have been taken: -

Attestation of employment documents by the Indian missions concerned in respect of six countries viz. Yemen, Lebanon, Libya, Jordan, Sudan and Kuwait for all categories of workers (skilled & unskilled) has been made mandatory whereas for vulnerable categories, i.e. housemaids/ domestic servants and unskilled labour, attestation of employment documents by the Indian missions has been made mandatory for all ECR countries.

All demands for 500 or more workers is verified for the genuineness of the demand as well as the Foreign Employer by the concerned Indian mission.

All demands from Recruiting Agents in the Watch List of the Ministry are attested by the Indian mission concerned before grant of clearance.

Protectors of Emigrants have been asked to conduct appropriate checks and exercise abundant caution while granting emigration clearance, while taking into account the extant instructions of the Ministry.

This Ministry has signed bilateral MOUs with the UAE, Kuwait and Oman and additional protocol on the existing MoU with Qatar to ensure protection to emigrant workers. MOU with Malaysia and Bahrain have been finalized. Efforts are being made to sign MOUs with other labour receiving countries. These MOUs provide for a Joint Committee consisting of representatives of both countries to discuss and resolve grievances of workers.

Special measures being taken for better protection and welfare of vulnerable sections of emigrants including women emigrants are:

1. Age restriction of 30 years for all women emigrating on ECR passports.

2. Opening of Overseas Indian Workers Resource Centre in host countries to serve as a one stop service outlet for addressing the information and assistance needs of emigrants.

3. A 24x7 helpline viz. Overseas Workers Resource Centre (OWRC) has been set up to enable emigrants/ prospective emigrants to seek information and file complaints against Recruiting Agents/ Foreign Employers.

A comprehensive insurance scheme, viz.Pravasi Bharatiya Bima Yojana, 2006, is in place, which makes it mandatory for every emigrant worker to be covered under the Scheme while seeking emigration clearance.The Scheme,inter-alia,provides workers with life insurance,medical expenses and legal expenses cover and also the deportation expenses wherever needed. With effect from 01.04.2008, the scheme has been upgraded by providing additional \benefits at reduced premium rates. Workers now have life insurance coverage of Rs.10 lakhs (in place of Rs.5 lakhs), Medical Expenses coverage of Rs.75,000/- (in place of Rs.50,000/-), Family Hospitalization coverage of Rs.50,000/- (in place of Rs.25,000/-), Maternity Expenses coverage of Rs.25,000/- (in place of Rs.20,000/-), Legal Expenses coverage of Rs.30,000/- (in place of Rs.25,000/-) etc.The insurance premium has been reduced to Rs.275 for 2 years policy period and Rs.375 for 3 years policy period.

A vigorous campaign in the print and electronic media to educate potential emigrants including labourers and other vulnerable sections like women emigrants has been launched to propagate the benefits and hazards of legal and illegal migration respectively.